MINUTES - REGULAR MEETING
SANTA MARIA CITY COUNCIL

CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA

MAY 1, 2012

INVOCATION:
Paul Berry of Calvary Chapel gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Cordero led the Pledge of Allegiance.

CALL TO ORDER:
Mayor Lavagnino called the Regular Meeting of the City Council to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Boysen, Cordero, Orach, and Mayor Lavagnino.

STAFF MEMBERS PRESENT
City Manager Haydon, City Attorney Trujillo, Acting Assistant City Manager Lara, Police Commander Greene, Director of Public Works/City Engineer Whitehead, Director of Administrative Services Visé, Director of Utilities Sweet, Director of Community Development Appel, Director of Parks & Recreation Posada, Fire Chief Orr, and Acting Chief Deputy City Clerk Garietz.

1. PROCLAMATIONS/PRESENTATIONS

PROCLAMATION – WATER AWARENESS MONTH
Councilmember Patino read a proclamation declaring May 2012, as "Water Awareness Month" in the City of Santa Maria, and urging residents and businesses to increase their water awareness and make conservation a continuing way of life. The proclamation was accepted by Myra Ritchie, Water Conservation Specialist.

Water Conservation Specialist Ritchie presented awards to the winners of the 3rd grade Water Awareness Month Poster Contest: 1st place, Bianca Cambero; 2nd place, Alyna Barriga; and 3rd place, Ashley Alvarado of Tunnell School; and Honorable Mention, Mia Christopher, of Taylor School.

PROCLAMATION – INTERNATIONAL COMPOST AWARENESS WEEK
Councilmember Orach read a proclamation declaring May 6 – 12, 2012, as "International Compost Awareness Week" in the City of Santa Maria, in recognition of the efforts of the Composting Councils, Extension Agents, householders, landscapers, farmers, recyclers, public workers, composters, gardeners, and plant growers everywhere. The proclamation was accepted by Bob Engel, Engel & Gray.

PROCLAMATION – NATIONAL POLICE WEEK
Councilmember Cordero read a proclamation declaring May 13 – 19, 2012, as "National Police Week" and Wednesday, May 16, 2012, as "Peace Officers' Memorial Day" in the City of Santa Maria, and encouraging all residents to remember those individuals who gave their lives for our safety and express our appreciation to those who continue to dedicate themselves to making Santa Maria a safer place in which to live. The proclamation was accepted by Police Sergeant Jesus Valle.

PROCLAMATION – NATIONAL TRAVEL AND TOURISM WEEK
Councilmember Boysen read a proclamation declaring May 5 – 13, 2012, as "National Travel and Tourism Week" in the City of Santa Maria, and encouraging all residents to recognize and support the importance of travel and tourism and the contributions tourism makes to the economic, social and cultural well-being of the community. The proclamation was accepted by Terri Paniagua, Visitors and Conference Bureau.

PROCLAMATION – GO WESTERN DAYS
Mayor Lavagnino read a proclamation declaring May 1 – June 3, 2012, as "Go Western Days" in the City of Santa Maria, and encouraging all residents to enter into the rodeo spirit by wearing western apparel. The proclamation was accepted by Keith Barks.

PROCLAMATION – ELKS NATIONAL YOUTH WEEK
Councilmember Patino read a proclamation declaring May 1 – 7, 2012, as "Elks National Youth Week" in the City of Santa Maria, and urging all departments of government, civic, and patriotic groups and citizens generally to participate wholeheartedly in its observance. The proclamation was accepted by Keith Barks.

PROCLAMATION – NATIONAL DAY OF PRAYER
Councilmember Orach read a proclamation declaring May 3, 2012, as "National Day of Prayer" in the City of Santa Maria, and encouraging people of all faiths to participate in the National Day of Prayer according to their own traditions. The proclamation was accepted by Pastor Dave Brogren.

2. PUBLIC COMMENT
Ernest Armenta spoke about Measure U and his opposition to it. He also commented on the landscape maintenance assessments on the Consent Calendar.

Vibiana Saavedra spoke about the public sentiment surrounding the Police Department's Management, and that some type of an announcement should have been issued by now by the City Council or independent investigator relating to the shootings. She also spoke about the continued support from the elected officials and the City Manager for the Police Chief, who seem to be out of touch with most of the community. Termination proceedings should be initiated. She hoped the community says no to Measure U.

Jose Castellanos spoke in support of the family of Albert Covarrubias, Jr. and against Measure U. He stated that he did not believe that the Hispanic population would vote to raise their taxes in support of Measure U when a Chief of Police is not being held accountable for the decision to humiliate and arrest an Hispanic Police Officer in public.

Helen Galvan spoke about the community's concerns about the vote of no confidence in Police Chief Macagni, the lawsuits filed against the Police Department, and the inappropriate decisions that lead to Albert Covarrubias' death. She requested that Council take actions to demonstrate accountability to the citizens who elected them, specifically to 1) place Police Chief Macagni on Administrative Leave until all investigations are complete; 2) return hiring and firing responsibilities of Police Chief to the City Council; and 3) reestablish a community police review board.

Eddie Triate spoke about the Police Department's leadership and the lack of confidence he has in it. He questioned the methodology of Measure U to tax the people during these difficult times to help fund a police department that was self-destructive. He commented that it would be helpful if the department underwent sensitivity training to better understand how to serve and protect the citizens of Santa Maria.

3. CONSENT CALENDAR
Councilmember Cordero requested Item 3C be pulled for comment, and announced that he would be abstaining from Item 3B, Minutes, since he did not attend a portion of the last meeting due to a conflict.

Councilmember Boysen announced that he would be abstaining from Items 3B, Minutes, and 3D, Warrants, since he did not attend a portion of the meeting due to a conflict, and that Warrants were being approved for his employer, Good Samaritan Shelter; therefore, he has a conflict.

Item 3C – Santa Maria Public Airport Runway Extension Project
Councilmember Cordero commented that people have asked him if the City would assume additional liability with the support of the runway extension. Councilmember Cordero has spoken with the City Manager who assured him that there would be no additional liability for the City.

Mayor Lavagnino asked Recreation and Parks Director Posada to respond to Mr. Armenta's statements relating to Item 3H, the Landscape Maintenance Assessments.

Recreation and Parks Director Posada stated that the Landscape and Lighting Districts were established in four geographical areas within the City. The first step in the process was to set the public hearing. At the hearing, the public will have an opportunity to come forward and tell the Council their thoughts on the assessments and to protest them at that time. The law

requires 51 percent of those properties assessed within each of the geographical areas to protest in order for the assessments not to be approved. The characterization implied by Mr. Armenta was that the assessments were citywide, which is incorrect. The assessments are only for those developments that have been built since the 1980's, and are designated to those specific areas where landscape improvements have been made. Staff was not proposing an increase, but only to recover the Consumer Price Index (CPI) increase over the last year.

For Item 3C, Support of the Santa Maria Airport Runway Extension Project, the resolution number was reassigned from 2012-43, as listed on the Agenda, to 2012-49. 2012-43 was previously assigned to another Resolution.

Consent Calendar Items 3A through 3H (except 3B and 3D) were approved on motion by Councilmember Patino, seconded by Councilmember Cordero, and carried on the following vote:

AYES: Councilmembers Boysen, Cordero, Orach, Patino, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Consent Calendar Items 3B and 3D were approved on motion by Councilmember Patino, seconded by Councilmember Orach, and carried on the following vote:

AYES: Councilmembers Orach, Patino, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: Councilmember Boysen and Cordero (3B only)

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of April 17, 2012, were approved as submitted.

C. AIRPORT RUNWAY EXTENSION PROJECT
Resolution No. 2012-49 was adopted supporting the Santa Maria District's Airport Runway Extension Project.

Resolution No. 2012-49 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, SUPPORTING THE RUNWAY EXTENSION PROJECT OF THE SANTA MARIA PUBLIC AIRPORT DISTRICT.

D. WARRANTS
Warrant Nos. 172298 to 172589 totaling $2,562,454.22 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 162876, 165230, 167038, and 172514 were cancelled.

E. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

F. ENTRADA ESTE SPECIFIC PLAN
The City Council conducted the second reading by title only of Ordinance No. 2012-09 approving amendments to Chapter 3, Development Regulations, of the Entrada Este Specific Plan to allow an apartment or living quarters for the owner, caretaker, or occupant of the building site as a conditionally permitted use in the General Commercial (C-2) and General Commercial (C-2)/Auto Overlay zoning districts.

Ordinance No. 2012-09 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AMENDMENTS TO CHAPTER 3

(DEVELOPMENT REGULATIONS) OF THE ENTRADA ESTE SPECIFIC PLAN, SPZ-2010-002.

G. LIMITED TIME PARKING ZONES AND PREFERENTIAL PERMIT PARKING
Resolution No. 2012-44 was adopted establishing 1-hour limited time parking zones along with preferential permit parking privileges to exempt vehicles displaying a valid parking permit at the 800 Block of East Boone Street, the 800 Block of East Jones Street, and the 600 Block of South Concepcion Avenue.

Resolution No. 2012-44 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ESTABLISHING LIMITED TIME PARKING ZONES AND PREFERENTIAL PERMIT PARKING PRIVILEGES ON EAST JONES STREET, EAST BOONE STREET AND SOUTH CONCEPCION AVENUE.

H. LANDSCAPE MAINTENANCE DISTRICTS
Resolution No. 2012-45 was adopted approving the Engineer's Reports and Resolution No. 2012-46 was adopted declaring the intent to levy and collect the property tax assessments for each of the four Landscape Maintenance Districts and the 21 Special Benefit Zones, and setting a public hearing for July 3, 2012, to consider the proposed landscape assessments.

Resolution No. 2012-45 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE ENGINEER'S REPORTS FOR ASSESSMENT PROCEEDINGS.

Resolution No. 2012-46 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON FOR THE FOUR LANDSCAPE MAINTENANCE DISTRICTS AND 21 SPECIAL BENEFIT ZONES.

4. LOCAL ECONOMIC IMPACTS PRESENTATION – CHUMASH INDIANS & CAMP 4 PROJECT.
Mayor Lavagnino stated that the City Council had received written communications for this item. There appeared to be a misconception by the communications received that the Council would be taking some type of action on this matter. He indicated that the City Council was to hear a presentation only.

Joe Armendariz indicated that the Santa Ynez Valley Band of Chumash Indians (the Chumash) worked in cooperation of the California Economic Forecast and the Taxpayers Association, and they have been meeting with various agencies around the County and presenting information about the Camp 4 project and what they feel should be a countywide economic strategy. He introduced Executive Director Mark Schniepp of the California Economic Forecast who discussed the Camp 4 project, and previewed information relating to job creation within the State and the County, as well as the type of jobs that were being created. Technology, tourism, and logistics or export industries are the engines of the recovery in California. Mr. Schniepp indicated that the Chumash purchased 1,400 acres of land located approximately two miles east of the existing Chumash Tribe Reservation from Fess Parker in 2009, and is known as Camp 4. The Chumash would like to build 143 homes and an administration building on the Camp 4 site and has commissioned an economic impact report by the California Economic Forecast on the area and the region for constructing these units and the infrastructure. The report measures the economic impacts during a five to six year period, from 2012 to 2017, and is limited to Santa Barbara County. Using a proprietary model of Santa Barbara County, estimates of the total employment, income, population, and consumer spending impacts on Santa Barbara County, including the Santa Maria Valley, are determined as a result of the Camp 4 housing project, including the infrastructure requirements. Because the Santa Barbara County model is routinely updated and maintained to forecast economic activity twice a year, the impact analysis method presented in the report produces a clear picture of the local economic impacts the project would produce to the region. Mr. Schniepp also spoke about leisure and hospitality employment in the County, median home selling prices, foreclosures, construction employment, and recession lows in new housing production in the Santa Maria Valley. He ran an analysis on the Camp 4 project in the Santa Ynez Valley, and what it could do for the County as a whole. The construction of the homes would begin in 2015, with the project being completed in 2017. He estimated 200-250 construction workers would be employed. When counting more than just the construction jobs, the total jobs to be created were estimated between 300-425 jobs during the peak years of the construction project. The salary impacts total $80-$100 million. Retail sales

are estimated at $14-$18 million in the Solvang/Santa Ynez area, with construction materials would being obtained from Goleta, Lompoc, and Santa Maria.

Councilmember Orach asked about tourism and fuel-related costs.

Mr. Schniepp responded that southern Santa Barbara County and Santa Ynez areas are seeing an increase in tourism, but not as much in northern Santa Barbara County. Fuel costs were heavily impacting ticket prices for airlines and keeping tourism closer to home.

Dr. Doug Herthel spoke about past news articles and Tribal minutes of the Chumash. He commented that Chair Armendariz has stated that the goals were to put the land into trust to prevent property and sales taxes and County regulation, to build enough houses to rent to their employees, and to build hotels and golf courses. If this occurs, it would not benefit the County or the State, and would be devastating to the Santa Ynez Valley with the loss of property tax, transient occupancy taxes, as well as the traffic impacts on Highway 154.

Jim Marino spoke about the Chumash seeking support of local governments to position themselves to present the transferring of the land into trust to legislators in Washington. Once the land was in trust, the Chumash could build anything they wanted and could do anything they wanted with the land.

Charles Jackson, a resident of Solvang, spoke about Mr. Schniepp's presentation and that it was but a fraction of the story. The rest of the story involved many cost implications. Public Law 280 mandates that local jurisdictions must provide law enforcement and fire services irrespective of whether or not there was a corresponding revenue source to defray the costs. He also noted that the entitlement process was proposed to begin in the summer of 2012. There has been no application or process started to apply to the County to build the houses; therefore, implicitly the only way the timetable proposed by the Chumash could be met was if the property was placed into trust. He asked that the Council continue its practice of not endorsing projects outside the City's jurisdiction with regard to the Camp 4 project.

There were written communications received by a majority of the City Council after the agenda packet was distributed from Kathy Cleary, Doug Herthel, Mark Oliver, and Doreen Farr, 3rd District County Supervisor, relating to the negative impacts of an annexation by the Santa Ynez Band of Chumash Indians of 1,400 acres of the Camp 4 property from the County's land use jurisdiction in perpetuity and to be added to the reservation of the tribal applicant. These communications were processed pursuant to SB 343 and posted on the City's website, and made available for public viewing.

REGULAR BUSINESS:

5. A TENTATIVE AGREEMENT AND AN AMENDMENT WITH THE TWO PUBLIC SAFETY BARGAINING UNITS AS IT PERTAINS TO THE MEMORANDA OF UNDERSTANDING (MOUs). Acting Assistant City Manager Lara gave the report as detailed in the written Council Agenda Report. The City Council is requested to adopt resolutions approving a tentative agreement with the Santa Maria Police Officers Association and an amendment to the Memorandum of Understanding (MOU) with the Santa Maria Fire Fighters' Union Local 2020. The MOU expired with the Police Officers' Association (POA) in 2010. The City and the POA were unable to come to an agreement on a subsequent MOU, and the City Council unilaterally implemented a resolution for terms and conditions of employment for calendar year 2011. The terms included salary concessions, participation in a citywide MTO program, the implementation of lower level retirement benefits for new hires, and language changes relative to work rules. The 2012 MOU contains the same concessions, with some minor adjustments to health insurance contributions and work rule language. She thanked the POA negotiation team for working with the staff to come to an agreement. The Fire Fighters' Local 2020 were the first bargaining unit to agree to concessions for calendar year 2012. The amendment presented to Council brings the Local 2020 in line with other City employees with regard to health insurance-related contributions. All other concessions remain the same.

Mayor Lavagnino thanked the bargaining units and staff for their hard work in getting the City to this point.

Ernest Armenta commented that he was pleased that the police and fire personnel were paying their fair share of concessions. He asked if the police and fire bargaining units were paying the same amount to retirement that all other City employees pay?

City Manager Haydon responded that the police and fire bargaining units pay the same amount and that public safety retirement has a slightly more enhanced retirement benefit than the miscellaneous retirement benefit. Sworn public safety employees pay up to nine percent of their retirement, and the miscellaneous employees pay seven percent of the employee's contribution share. All new employees are paying the full nine percent for public safety, and the miscellaneous employee's share is seven percent. Public Safety Officers can retire with three percent at age 55, and the miscellaneous employees can retire with two percent at age 55.

Ernest Armenta responded that it was not fair that new employees were paying a higher rate than veteran employees. All police officers and fire personnel should pay the full nine percent contribution. He stated, with the savings, the City could afford to man the new fire station.

Resolution No. 2012-47 was adopted approving a tentative agreement on a Memorandum of Understanding (MOU) with the Santa Maria Police Officers' Association (SMPOA) on motion by Councilmember Cordero, seconded by Councilmember Orach, and carried on the following vote:

AYES: Councilmembers Boysen, Cordero, Orach, Patino, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2012-47 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A TENTATIVE AGREEMENT ON A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE SANTA MARIA POLICE OFFICERS' ASSOCIATION.

Resolution No. 2012-48 was adopted approving an amendment to the Memorandum of Understanding (MOU) with the Santa Maria Fire Fighters' Union Local 2020 on motion by Councilmember Patino, seconded by Councilmember Orach, and carried on the following vote:

AYES: Councilmembers Boysen, Cordero, Orach, Patino, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2012-48 adopted.
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING WITH THE SANTA MARIA FIRE FIGHTERS' UNION, LOCAL 2020.

CITY MANAGER'S REPORT
City Manager Haydon reported on items anticipated for the May 15, 2012, City Council meeting including four proclamations, responses to the grand jury reports on the dissolution of Redevelopment Agencies and Towing of Vehicles, the CDBG final action plan, two Notices of Completion for an overlay project and a chip seal project, Measure A Program of Projects, and public hearings regarding the landfill gate rate restructuring and the Third Quarter Financial Report.

ORAL REPORTS BY COUNCILMEMBERS
Councilmember Cordero reported that he attended a Future Search meeting, the groundbreaking ceremony for Good Samaritan Shelter, an Altrusa fundraiser for Friends of the Library, the Packers Team fundraiser, the Kite Flying Festival at Rotary Park, the memorial service for Eddie "Crow" James, the STAR talks at El Camino, presented a Proclamation to Marcelo Rodriguez at Marian Extended Care Center for his 109th Birthday, attended the Flora Awards at Shepard Hall, the grand opening for Mission Hope Cancer Center, the Humane Society Dinner, and the Law Enforcement Annual Dinner at the Elks.

Councilmember Orach reported that he spoke on the Ben Heighes Radio Show discussing actions the City Council took the night before, went to Santa Barbara to celebrate his granddaughter, Riley's, 3rd Birthday, and worked.

Mayor Lavagnino reported that he attended the Casa de Familia groundbreaking ceremony, the SBCAG and APCD meetings in Santa Barbara, went on vacation to Cozumel, Mexico, made a

promotional video at KCOY with Dr. Dickman for the Mission Hope Cancer Center, and attended the Ashley Furniture Grand Opening.

Councilmember Patino reported that she was out of town for two weeks, attended the Mission Hope Cancer Center grand opening, the Santa Barbara Foundation Flora Awards ceremony, a Peace Week Committee meeting, the COLAB Dinner, the Food Bank 30th Anniversary Dinner, a Central Coast Senior Citizens Foundation meeting, the ribbon cutting ceremony for Ashley Furniture, and to a Rotary meeting.

Councilmember Boysen thanked the Council for attending the groundbreaking ceremony. It was an exciting time for Good Samaritan. Councilmember Boysen indicated that he attended a lot of the same functions that Councilmember Cordero attended, as well as the 3rd and 4th District Supervisors' debate at League of Women Voters, and the SBCAN Awards.

ADJOURNMENT
There being no further business to come before the City Council at this time, the meeting was declared adjourned by Councilmember Boysen in memory Jim Hamlin at 8:11 p.m.

APPROVED

May 15, 2012
Date

Acting Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

Mayor of the City of Santa Maria

ATTEST

Acting Chief Deputy City Clerk